

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

UNITED STATES OF AMERICA

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v.

*

CV 114-194

*

\$15,925.00 in U.S. CURRENCY

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O R D E R

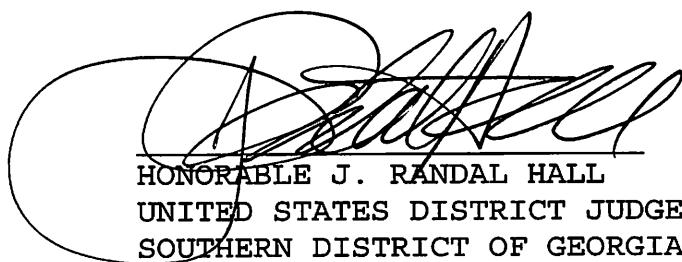
On December 4, 2014, Claimant Robbie Lee Bufkin filed a Motion to Stay Proceedings in the instant civil forfeiture action under 18 U.S.C. § 981(g)(2) so as to preserve his Fifth Amendment right against self-incrimination in the ongoing criminal prosecution of Mr. Bufkin for similar conduct in the Superior Court of Taliaferro County, Georgia. (Doc. 12.) On December 23, 2014, this Court denied Mr. Bufkin's request without prejudice because in this Circuit a blanket assertion of privilege does not satisfy the § 981(g)(2)(C) requirement that "continuation of the forfeiture proceedings will burden the right of the claimant against self-incrimination in the related investigation or case." (Doc. 13 at 2-3.) United States v. Lot 5, Fox Grove, Alachua Cnty., Fla., 23 F.3d 359, 364 (11th Cir. 1994).

Mr. Bufkin has since presented the Court with certain special interrogatories served by the Government in this case

that, if answered, indeed may impinge upon Mr. Bufkin's Fifth Amendment right against self-incrimination in the underlying criminal prosecution. (Doc. 14 at 2.) Moreover, as previously noted by the Court, neither the Government nor Tanisha Bufkin, who also filed a verified claim to the Defendant Currency, responded to the Motion to Stay, which indicates they do not oppose it. See L.R. 7.5, SDGa.

Upon due consideration and for good cause now shown, the Court **GRANTS** Claimant Robbie Lee Bufkin's unopposed motion to stay. (Doc. 12.) This case is hereby **STAYED** until completion of the state criminal case, including any potential appeal. The Clerk is **DIRECTED** to **CLOSE** this case for statistical purposes. Within **THIRTY (30) DAYS** of the state case's resolution, the parties may move to reopen this action.

ORDER ENTERED at Augusta, Georgia, this 5th day of January, 2015.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA